

EXHIBIT “A”

7

3.

On October 25, 2010, I telephoned Bob Kidd, who was one of my employers, and asked Mr. Kidd why I (and numerous other employees) was not being paid overtime wages. Mr. Kidd acknowledged that I should have been paid overtime wages, and told me to contact the Payroll Department. When I contacted the Payroll Department about this failure to be paid overtime, I was told that I would not be receiving any payment to make up for the overtime wages I had been owed. In response, I told Mr. Kidd and Chris Stoddard of the Payroll Department that I would be contacting the Labor Board.

4.

That same day, on October 25, 2010, I telephoned the San Antonio District Office of the United States Department of Labor. The San Antonio District Office acknowledged my complaint on that date and assigned me a complaint control number of WCID: 11586428/LFN: 2010-310-00821. Several weeks after my initial visit to the Department of Labor, I received a written acknowledgment of my complaint, informing me that an investigation would be conducted.

5.

Defendants were made aware of the fact that I would be issuing a complaint to the Department of Labor because I informed Mr. Kidd and Mr. Stoddard as much during our October 25, 2010 conversation. In response, Defendants terminated my employment two days later, on October 27, 2010. I had never been written up by Defendants for any performance related problems prior to my termination, nor was I given any explanation by Defendants for my termination. My only conclusion was that I was terminated from

employment with Defendants because I had voiced complaints about not being paid overtime wages.

6.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct. Executed on January 10, 2012.


DAVID ANDRADE